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Case No. CE08314R

### REMARKS

Reconsideration of the above-referenced application is respectively requested in view of the above amendments and these remarks. Claims 1-12 and 14-38 are currently pending.

In the Office Action, claims 1-12 and 14-38 are rejected under 35 U.S.C. § 102(e) as being anticipated by United States Patent No. 6,012,100 to Frailong et al. Applicants have amended independent claims 1 and 22 to overcome the rejection. In particular, applicants have amended independent claims 1 and 22 to further define the embedded security layer as providing a secure interface at the external interface for the external feature service to the communication network. No new matter is added by way of this amendment and adequate support is found in the Specification, e.g. page 6, line 18 through page 7, line 8.

As seen in the claims, the service delivery element is a part of the communications network and completely contained therein. It connects to other components of the communications network through an internal interface and connects to the feature server, which is external to the communications network, through the external interface. In addition, the security layer is embedded as a part of the service delivery element and authenticates the feature server for use on the communication network. The security layer is therefore completely within the communication network and provides a secure interface for which the communication network can have access to the feature server. Thus, the claim includes a service delivery element that is internal to the communication network, provides the security function within the communication network by negotiating a security level between the feature server and the communication network and provides a secure interface between the communication network and the external feature server.

On the other hand, Frailong does not disclose the service delivery element as claimed in the present application. The sections of Frailong cited in the Office Action indicate that the rejection is based on equating the gateway interface device and the

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remote management server with the individual service delivery element of the present invention. Frailong's gateway interface device is in the client network while the remote management server is separate from the gateway interface device and external to the client network. It is this combination of an internal and an external element of the communication network that is stated to teach the security function found in the claims. In addition, the Office Action cites to sections of Frailong that disclose passwords for gaining access, encryption keys, secure sockets layers and public key certificates. Thus, Frailong disperses the functions of the claimed services delivery element into different devices where those devices are spread between different networks. As stated, amended claims 1 and 22 provide for a feature server being external to the network where the service delivery element that recognizes, negotiates security levels, manages access for the feature server into the communication network and provides a secure interface for the communication network to the feature service is internal to the communications network and contained within one device.

Moreover, Frailong's description of passwords, encryption keys, secure sockets layers and public key certificates are made in the context of upgrades or changes to parameters of the gateway interface device, downloads to the gateway interface device and the relationship between the gateway interface device and the remote management server. See e.g. column 4, lines 55-59 ("The gateway interface device further provides connectivity to a remote server process which provides remote initialization, configuration, and upgrades of the gateway interface device without necessitating extensive interaction", column 17, lines 38-42 ("The reconfiguration protocol between the remote management server and the gateway interface device is used when the gateway interface device is to be reconfigured in some manner.") and column 18, line 26-29 ("The trust relationship between the gateway interface device and the remote management server is implemented through a comprehensive security framework provided by authentication and encryption mechanisms.") This is different than providing a secure interface between a feature server that is external to the communication network and the communication network. As stated above, this security interface and negotiated security

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level is provided by the service delivery element within the communication network. It is not provided by a combination of elements where one element is within the communication network and another element is outside the communication network. In addition, the discussion of security provided by Frailong concerns the two elements, i.e. the gateway interface device and the remote management server. The discussion does not touch on providing security for access to feature server for the communication network.

The fundamental difference between Frailong and the present invention as found in amended claims 1 and 22 is that Frailong is discussing the external element as an end user computer in a client Local Area Network and is concerned in providing access for that user computer in the Local Area Network to an external network. Frailong discloses the gateway interface device interacting between the LAN and the external communication network. On the other hand, the present invention discusses the service delivery element to a feature server that is not provided by the communications network. The access to the service delivery element does not require the configuration functions described by Frailong. In other words, Frailong discloses how to access the network from the user's perspective, and the present invention discloses how a device securely connects to the network from the service-accessibly-by-the-user's perspective.

Further, the service delivery element implements a secure interface to other service delivery elements to expand the services available to the subscriber by way of a feature server that is external to the communication network within which the service delivery element is situated. Accordingly, services can be added to the communications network using the claimed service delivery element and its secure external interface so that it is transparent to a user. The only examples Frailong provides investigate the configuration or upgrade of the data the client device needs to have pass the authentication methods to obtain transport access. Thus, a user that gains access to the communication network by using what is disclosed by Frailong will have access to feature servers that are external to the communication network and have access thereto

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according to the principles of the present invention and found in amended claims 1 and 22.

In view of the foregoing, applicants respectfully submit that amended independent claims 1 and 22 are not anticipated under 35 U.S.C. § 102(e) by Frailong. As claims 2-12 and 13-21 depend upon and include each and every limitation of claim 1 and claims 23—38 depend upon and include each and every limitation of claim 22, applicants respectfully submit that these dependent claims are not anticipated by Frailong for the same reason. Applicants therefore respectfully request that the rejection under Section 102(e) be withdrawn.

As the applicants have overcome all substantive rejections given by the Examiner and has complied with all requests properly presented by the Examiner, the applicants contend that this Amendment, with the above discussion, overcomes the Examiner's rejections of the pending claims. Therefore, the applicants respectfully solicit allowance of the application. If the Examiner is of the opinion that any issues regarding the status of the claims remain after this response, the Examiner is invited to contact the undersigned representative to expedite resolution of the matter.

Please charge any fees associated herewith, including extension of time fees, to 50-2117.

Respectfully submitted,  
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